

IN THE JUSTICE COURT, COUNTY OF GALLATIN  
IN AND FOR THE STATE OF MONTANA

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THE STATE OF MONTANA

GALLATIN COUNTY  
JUSTICE COURT

Plaintiff  
v.

No.

**AFFIDAVIT OF PROBABLE CAUSE**

Thizza Owenna Huemannx

Defendant

STATE OF MONTANA )  
 )  
County of Gallatin )

COMES NOW Officer St. Aubyn, and being first duly sworn upon oath, deposes and says:

1. Your affiant is an officer with the Bozeman Police Department, Gallatin County, Montana.
2. On April 13, 2012, your affiant arrested the above-named Defendant and charged the Defendant with the crime(s) of:

Assault on a Peace Officer (F) MCA: 45-5-210

3. The crime(s) occurred on April 13, 2012.
4. The place of the crime was from the 800 block of W. Beall to 302 N. 9<sup>th</sup> Avenue, which is located within the city limits of Bozeman, Gallatin County, Montana.
5. The facts relied upon to make the arrest and charge(s) are as follows:

On April 13, 2012 at approximately 1304 hours, Officers were dispatched to 214 N. 9<sup>th</sup> Avenue for a report of a vehicle that had crashed into bushes. The reporting party stated a female driver, later identified by her own admission as Thizza Owenna Huemannx and hereinafter referred to as the Defendant, was revving the vehicle. Dispatch informed responding Officers the Defendant stated she was going to leave the area.

Officer Patti Mullen arrived on scene in her Detective vehicle, activated her emergency lights and made contact with the Defendant. Officer Mullen was in plain clothes and identified herself as a police officer verbally. Officer Mullen's badge was clearly visible and not obstructed in anyway. After briefly speaking with Officer Mullen, the Defendant fled on foot heading northbound towards a nearby apartment complex. Officer Mullen chased the Defendant and

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instructed her to stop. The Defendant disregarded her instructions and entered into the east entrance of the apartment complex located at 302 N. 9<sup>th</sup> Avenue. The Defendant went down the set of stairs that leads to the individual apartments within the complex and hid behind a blind corner near a closet door. Officer Mullen's view of the Defendant was obscured because the hallway turns on the lower level where the Defendant was hiding. Officer Mullen turned the corner in the hallway when the Defendant ambushed Officer Mullen. The Defendant leaned back, resting her arm on a wall and swung her leg in an attempt to strike Officer Mullen's face. Officer Mullen was able to block the high kick and a struggle ensued on the ground. The Defendant was able to kick Officer Mullen in the stomach, shin and punched her multiple times. The Defendant continued to fight Officer Mullen and spit multiple times on Officer Mullen's head, striking her hair and neck.

Officer Ogden and I arrived on scene where the Defendant was subsequently arrested. Officer Mullen sustained a visible cut on her right middle finger, caused by the altercation with the Defendant. Officer Mullen had to leave work to shower and sanitize because the Defendant covered her in spit.

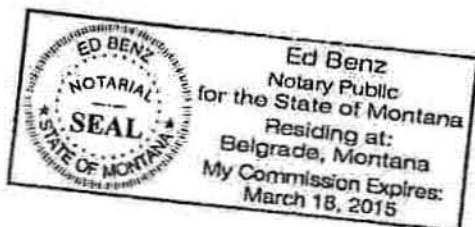
I could smell the strong odor of an alcoholic beverage emanating from the Defendant as she spoke. The Defendant had slurred speech, glassy bloodshot eyes. The Defendant was transported to the Gallatin County Detention Center where she submitted to a PBT with a result of .249. The Defendant was issued a citation for the above listed offense and held without bond.

Dated this 13th Day of April, 2012.



Signature of Affiant (Officer St. Aubyn)

SUBSCRIBED AND SWORN THIS 13 DAY OF APRIL, 2012.



Ed Benz  
(Printed Name of Notary Public)

  
NOTARY PUBLIC FOR MONTANA

Residing at \_\_\_\_\_, MT.  
My Commission expires \_\_\_\_\_

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## ORDER

Upon reading the foregoing Affidavit:

☒ IT IS HEREBY ORDERED THAT probable cause is **found** to charge the above-named defendant with the following charge(s):

45-5-210 Assault on a Peace Officer

☐ IT IS HEREBY ORDERED THAT probable cause is **not found** to charge the above-named defendant with the following charge(s):

DATED this 18 day of April, 2012 at 10:25 a.m.

[Signature]  
JUSTICE OF THE PEACE

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